

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN DIAZ,

Plaintiff.

-against-

THE CITY OF NEW YORK; POLICE)
DETECTIVE MICHAEL BRACKEN, Shield No.)
01815; POLICE DETECTIVE JOSEPH ROSARIO,))
Shield No. 3759; POLICE DETECTIVE)
CHRISTOPHER BRIECKE; POLICE SERGEANT)
TYRON POPE; POLICE LIEUTENANT DAVID)
NISTHAUS; JOHN DOES; RICHARD ROES,)

Defendants.

PROOF OF SERVICE

10 Civ. 6625 (GBD)(DF)

ECF CASE

[illegible]

I, Jeffrey A. Rothman, hereby affirm under the penalties of perjury:

I am not a party to this action, I am over 18 years of age and I am self-employed as an attorney at 315 Broadway, Suite 200; New York, New York, 10007. I am counsel for the Plaintiff in the above-captioned action, and am admitted to practice in the United States District Court for the Southern District of New York.

On September 9, 2010 approximately 3:42 p.m., at the New York City Law Department, 100 Church Street, New York, NY 10007, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon the CITY OF NEW YORK, a defendant therein named by personally delivering and leaving a true copy or copies of the aforementioned documents with Dmitriy Aronov, a process clerk on the fourth floor authorized to accept service.

On September 9, 2010, approximately 2:30 p.m., at the office of the Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon POLICE DETECTIVE MICHAEL BRACKEN, Shield No. 1815, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Detective Hellmer, Shield No. 3536, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On September 9, 2010, I then mailed a

copy of the aforementioned documents to POLICE DETECTIVE MICHAEL BRACKEN, Shield No. 1815, a defendant therein named, at Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

On September 9, 2010, approximately 2:30 p.m., at the office of the Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon POLICE DETECTIVE JOSEPH ROSARIO, Shield No. 3759, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Detective Hellmer, Shield No. 3536, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On September 9, 2010, I then mailed a copy of the aforementioned documents to POLICE DETECTIVE JOSEPH ROSARIO, Shield No. 3759, a defendant therein named, at Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

On September 9, 2010, approximately 2:30 p.m., at the office of the Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon POLICE DETECTIVE CHRISTOPHER BRIECKE, Shield No. 06242, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Detective Hellmer, Shield No. 3536, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On September 9, 2010, I then mailed a copy of the aforementioned documents to POLICE DETECTIVE CHRISTOPHER BRIECKE, Shield No. 06242, a defendant therein named, at Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

On September 9, 2010, approximately 2:30 p.m., at the office of the Office of the NYPD Narcotics Division, New York City Police Department Headquarters, 1 Police Plaza, New York, NY 10013, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon POLICE SERGEANT TYRON POPE, Shield No. 03799, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Detective Hellmer, Shield No. 3536, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On September 9, 2010, I then mailed a copy of the aforementioned documents to POLICE SERGEANT TYRON POPE, Shield No. 03799, a defendant therein named, at Office of the NYPD Narcotics Division, New York City

Police Department Headquarters, 1 Police Plaza, New York, NY 10013, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

On September 9, 2010, approximately 10:30 a.m., at the New York City Police Academy, Room 831, Promotional Training Unit, 235 E. 20th Street, New York, NY 10003, I served the Summons, Complaint, and Order for Initial Pretrial Conference upon POLICE LIEUTENANT DAVID NISTHAUS, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Lieutenant David Ng, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On September 9, 2010, I then mailed a copy of the aforementioned documents to POLICE LIEUTENANT DAVID NISTHAUS, a defendant therein named, at the New York City Police Academy, Room 831, Promotional Training Unit, 235 E. 20th Street, New York, NY 10003, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

September 9, 2010



Jeffrey A. Rothman